

Patent Ser. No. 10/072,829

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Mickey Miller et al.

SERIAL NO. 10/072,829

EXAMINER: L. Blaine Lankford

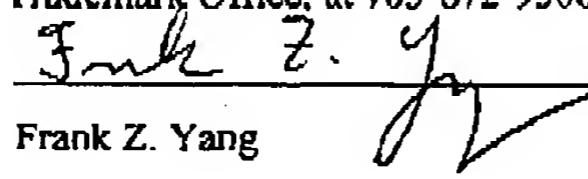
FILING DATE: February 8, 2002

ART UNIT: 1651

TITLE: ACROCHORDON ALLEVIATION

Certificate of Facsimile Transmission

Pursuant to 37 CFR §§ 1.6(d) and 1.8(a), I hereby certify that this paper (and any other document identified as enclosed herewith) is being transmitted by facsimile transmission, on the date shown below, to the Technology Center 1651, United States Patent and Trademark Office, at 703-872-9306.



May 9, 2004

Frank Z. Yang

Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Technology Center Director for
Technology Center 1651

Petition to Suspend Action

Because this petition to suspend action is being filed with a co-pending Petition to Withdraw from Issue, it is also directed to the Technology Center Director for Technology Center 1651. Once the Director grants the Petition to Withdraw from Issue, and the application is withdrawn from issue, pursuant to 37 CFR 1.103(a), Applicants respectfully petition to suspend action in above-captioned patent application for a period of six months, or the longest allowable period of time available for the present application.

The showing of good and sufficient reason why the suspension of action is necessary is as follows. The present application is the subject of a pending lawsuit between Physician's Choice of Arizona (PCA; assignee of the patent application from Margaret Ancira, a named co-inventor) and Mickey Miller (another named co-inventor). Physicians Choice of Arizona, Inc. v. Mickey Miller, CV-2003-020242 (Superior Court of Arizona, Maricopa County). In the course of the lawsuit, a question of inventorship was raised by counsel for one of the parties. At this time, the question of inventorship remains to be resolved. Both currently named inventors, and PCA believe that any question of inventorship should be resolved before the application issues as

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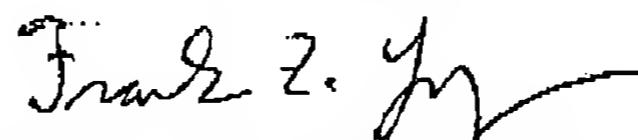
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Attorney Docket No. PCAI:005US

a patent. Suspension of action in the present application is therefore respectfully requested to permit an opportunity for the parties to resolve the inventorship question.

The Director is hereby authorized to deduct the 37 CFR 1.17(h) petition fee of \$130.00 from deposit account number 50-1212/PCAI:005US for Fulbright and Jaworski, LLP. This page is submitted in duplicate for that purpose.

Respectfully submitted,



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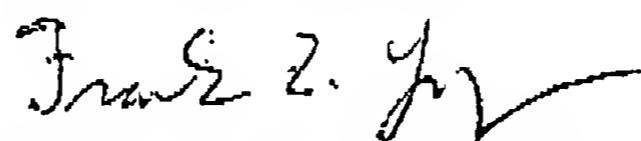
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